

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW JERSEY

UNITED STATES OF AMERICA,	:	Docket No. 17-119 (NLH)
Plaintiff,	:	
	:	
v.	:	
	:	
SANTOS COLON,	:	MARCH 2019AMENDED CONDITIONAL RELEASE ORDER
Defendant,	:	
	:	
	:	

Santos Colon, through his attorney, Richard Coughlin, Federal Public Defender, having filed a motion for an Amended Order of Conditional Release, and with no objection from the government, and the Court having previously executed an Amended Order of Conditional Release on July 6, 2017, and upon consideration of the record that has developed since the entry of the July 6, 2017 Amended Order of Conditional Release, the Court finds that, continued release of Santos Colon under the conditions specified below, does not present a danger to the community or present a risk of nonappearance at future court proceedings.

Accordingly, the Court orders that the Amended Order of Conditional Release executed on July 6, 2017 is vacated and replaced by a March 2019 Amended Order of Conditional Release, subject to the following conditions:

- 1) Santos Colon shall continue under the supervision of Pretrial Services and shall comply with directions, instructions, and orders issued by Pretrial Services, including any orders or instructions to report to that Office or to Court.
- 2) Santos Colon shall participate in a location monitoring program as directed by Pretrial Services. Such monitoring shall include global positioning system (GPS) and/or radio frequency (RF) technology at the discretion of the Pretrial Services Office. GPS and/or RF technology monitoring shall not be removed until further order from the Court.
- 3) Consistent with paragraph 14 of the Plea Agreement, Santos Colon's request for transfer to a new location, *i.e.* a State certified Resource Home, approved by Pretrial Services, in consultation with the mental health providers from Youth Consultation Services (YCS) who have been working with Santos Colon as well as with those from Community Treatment Solutions (CTS) who will be working with Santos Colon, is granted. While residing at the Resource Home, Santos Colon and his property will be subject to search and inspection by the Resource Parent, CTS treatment staff, and Pretrial Services. The Resource Parent and CTS staff shall report any violation of the release conditions to Pretrial Services. Santos Colon shall not be permitted to leave the Resource Home unescorted. Placement at the Resource Home is appropriate because it provides an environment that affords Santos Colon access to needed treatment services, including mental health treatment, while also ensuring the safety of the community and the appearance of Santos Colon at any future court proceedings. Consistent with paragraph 14 of the Plea Agreement, Santos Colon may not be transferred or otherwise placed in any other treatment facility without further order of the Court.
- 4) Santos Colon may leave the Resource Home in the company of any escort approved by Pretrial Services for educational, medical, legal, religious, recreational, or other purposes and activities approved by Pretrial Services. Any escort approved by Pretrial Services must agree to assume the responsibilities of third party custodian while Santos Colon is in the company and care of such escort or escorts. Such escorts may include the Resource Parent, an approved mentor, CTS staff, Santos Colon's parents, and such other individuals specifically approved by Pretrial Services. With respect to Santos Colon's parents, any excursion from the Resource Home may include visits to the Colon residence, but

may not include overnight stays without further order of the Court. The hours of any home visits are subject to approval by Pretrial Services.

- 5) Santos Colon shall participate in and comply with mental health treatment as directed by Pretrial Services. Such treatment may include, but is not limited to psychological/psychiatric counseling and treatment, behavioral counseling and treatment, family counseling, and a regimen of prescribed medications.
- 6) Santos Colon shall participate in any educational program as directed by the CTS program and as approved by Pretrial Services. Santos Colon shall abide by the rules of such educational program and shall not leave the premises of such educational facility except for educational or medical purposes while escorted by an approved escort and only with prior approval of Pretrial Services. The educational program shall supervise Santos Colon while he is present and report any violations of release conditions to Pretrial Services.
- 7) Santos Colon shall not operate a motor vehicle and shall not utilize the services of a taxi, car service, or other pay-for-service mode of transportation.
- 8) Except under the supervision and direction of CTS staff, the Resource Parent, or staff at an approved educational facility, and only with the prior approval of Pretrial Services, Santos Colon shall not possess or use a computer as defined in 18 U.S.C. § 1030(e) and shall not access on-line (Internet) services. Santos Colon shall provide CTS staff, Resource Parent, education staff, treatment providers, Pretrial Services, and federal agents working in conjunction with Pretrial Services, access to his person, place of residence, and place of education to allow monitoring of this condition.
- 9) Santos Colon shall not associate in any manner with individuals or organizations involved in or advocating violent, extremist, or terrorist activity, including by means of electronic communications.
- 10) Santos Colon shall provide Pretrial Services access to any requested financial information, including credit reports, credit card bills, bank statements, and telephone bills. Santos Colon shall not acquire or use any credit card, debit card, or access any credit through any means without

prior approval of Pretrial Services. Santos Colon shall not accept any monetary funds or instruments of any value from third parties without the prior approval of Pretrial Services. He shall immediately (within 4 hours) report to the Pretrial Services Officer any access to monetary instruments made available to him.

11) Santos Colon shall comply with all of the following general conditions of pretrial release, including:

- a. He shall appear at all proceedings as ordered by the court and shall surrender for service of any sentence imposed.
- b. He shall not commit any federal, state, or local crime.
- c. He shall not harass, threaten, intimidate, injure, tamper with, or retaliate against any witness, victim, informant, juror, or officer of the Court, or obstruct any criminal investigation.
- d. He shall surrender all passports and visas to Pretrial Services and shall not apply for any passports or other travel documents.
- e. He shall not possess any firearm, destructive devices, or other dangerous weapon.
- f. He shall not use alcohol and shall not use or possess any narcotic or other controlled substance without a legal prescription. He shall also submit to random drug and alcohol testing at the direction of Pretrial Services.

IT IS FURTHER ORDERED that the Court will convene regular status conferences at a time and frequency determined by the Court to address Santos Colon's status and progress including his medical and/or psychiatric treatment, education, and compliance with the conditions of release. To that end, and in accordance with Paragraph 15 of the Plea Agreement, CTS, the Resource Parent,

and any educational program shall provide Pretrial Services, counsel for the United States, and counsel for Santos Colon with unfettered access to any notes, records or reports relating to or created in connection with the treatment and education of Santos Colon. Both the residential treatment facility and any education program shall also include Pretrial Services in periodic review meetings relating to Santos Colon. At their discretion counsel for the United States, counsel for Santos Colon, or representatives of their offices may also participate in such meetings.

IT IS SO ORDERED.

Date: March 20, 2019

Noel L. Hillman
NOEL L. HILLMAN
United States District Judge